

Amendments to the drawings,

There are no amendments to the Drawings.

Remarks

Status of application

Applicant has filed a Notice of Appeal on August 29, 2005. This Amendment is offered for purposes of reducing the number of issues on appeal.

Information Disclosure Statement

Regarding the Examiner's Paragraph 1 of the final Office Action, Applicant has filed on October 27, 2005, an additional Information Disclosure Statement (IDS) that provides a copy of Sendmail® for NT User Guide, which is mentioned on page 5 of Applicant's specification. Applicant files this IDS in response to the Examiner's request. The guide is mentioned in Applicant's Background section merely for indicating general background of e-mail systems, and Applicant does not contend that the guide is material to patentability of Applicant's invention (as defined in Sec. 1.56). Pursuant to a telephone discussion with the Examiner on October 27, 2005, it is understood that disclosing this guide in an IDS overcomes the rejection of Paragraph 1.

Section 112 rejection

Claims 2, 3, 5, 8, 11, 14, 15, 29, 42-46 and 53 stand rejected for indefiniteness. In particular, the Examiner finds the phrase "a desired period of time" to be ambiguous. Pursuant to the above-mentioned phone discussion with the Examiner, it is now understood that the Examiner is intending clarification as to how the time period actually gets entered. For purposes of clarification, the claims have been revised to replace the offending phrase with "a user-configurable period of time."

Support for the amendment is located throughout Applicant's specification. For example, at page 10, lines 12-16, Applicant's specification describes how an administrator (user) may configure a sender-based parameter indicating that Applicant's filter should note the number of unique senders that have arrived in a given timeframe for a particular host being monitored for filtering. (If a message arrives where the number of unique senders from that particular host exceeds the the number that can arise in a given timeframe, as specified by the administrator, Applicant's filter rejects that message.) As stated at line 20, "The configuration file allows the administrator to define a class that

limits the number of unique recipients received for that class, over any given time span."

As another example, Applicant's specification states at:

By maintaining session-specific information, the flow control filter 500 can track information characterizing system operation. For instance, the flow control filter 500 can log timestamp information pertaining to the occurrence of a particular event of interest, as well as maintaining running totals indicating how often that event has occurred. By comparing this information against configurable policy rules (e.g., **maximum number of times that a particular event is allowed to occur in a given time period**), the flow control filter 500 may selectively block particular events (e.g., until a configurable timer has elapsed). Thus, the tracking of information allows the flow control filter 500 to moderate traffic flow through one's e-mail system.

(Applicant's Specification, page 20, lines 3-11, emphasis added)

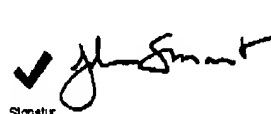
Numerous other examples appear throughout Applicant's specification. Accordingly, it is believed that the amendment is fully supported by Applicant's specification, and that no new matter has been introduced.

Conclusion

It is respectfully requested that the Amendment be entered for purposes of reducing the number of issues on appeal. If for any reason the Examiner feels that a telephone conference would in any way expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at 408 884 1507.

Respectfully submitted,

Date: October 28, 2005


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